

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



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Order Instituting Rulemaking Concerning  
Energy Efficiency Rolling Portfolios,  
Policies, Programs, Evaluation, and Related  
Issues.

R.13-11-005

**JOINT STATEMENT OF STIPULATED FACTS  
OCTOBER 3, 2019, ORDER TO SHOW CAUSE  
AGAINST SOUTHERN CALIFORNIA GAS COMPANY**

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March 13, 2020

In accordance with the December 2, 2019, *Assigned Commissioner's Amended Scoping Memo and Ruling for Order to Show Cause Against Southern California Gas Company*,<sup>1</sup> Southern California Gas Company (SoCalGas), and the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) (collectively the Parties) jointly file this statement of stipulated facts in Rulemaking 13-11-005 (Stipulation).

The Parties agree and understand that submission of the Stipulation to the Commission may not be construed as an admission or waiver by any Party regarding any fact, matter of law, or issue thereof in any other proceeding and that this Stipulation is specific to and applies only to this proceeding. The Parties hereby stipulate and agree that the following facts related to this OSC are not in dispute:

**FACTS RELATED TO DECISION (D.18-05-041)**

The Commission adopted Decision (D.)18-05-041, *Decision Addressing Energy Efficiency Business Plans*, on May 31, 2018. The Decision states “[t]his order is effective today.”<sup>2</sup>

D.18-05-041 has a date of issuance of June 5, 2018.<sup>3</sup>

In response to allegations based on evidence that the Public Advocates Office presented in Application (A.) 17-01-013 et al,<sup>4</sup> D.18-05-041 concluded that

there is a potential for SoCalGas to misuse ratepayer funds authorized for codes and standards advocacy, such that we find it reasonable to limit SoCalGas’s involvement in codes and standards advocacy as ORA recommends. SoCalGas shall have no role in statewide codes and standards advocacy other than to transfer funds to the statewide codes and standards lead for program implementation.<sup>5</sup>

D.18-05-041, Ordering Paragraph 53, states:

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<sup>1</sup> *Assigned Commissioner's Amended Scoping Memo and Ruling for Order to Show Cause Against Southern California Gas Company*, December 2, 2019, p. 3; see also *ALJ's Ruling Granting Motion of the Public Advocate's Office of the Public Utilities Commission and Directing SoCalGas to Show Cause Why it Should Not Be Sanctioned* (October 3, 2019).

<sup>2</sup> D.18-05-041, p. 195.

<sup>3</sup> *Id.* at p. 1.

<sup>4</sup> At the time of some of the events described in this Stipulation, the Public Advocates Office was called the Office of Ratepayer Advocates, but for ease of reference, the Stipulation uses the current name throughout.

<sup>5</sup> D.18-05-041, p. 144.

Southern California Gas Company is prohibited from participating in statewide codes and standards advocacy activities, other than to transfer ratepayer funds to the statewide lead for codes and standards, during this business plan period.<sup>6</sup>

## **DATA REQUESTS BY CAL ADVOCATES AND RESPONSES BY SOCALGAS SUBSEQUENT TO D.18-05-041**

### **Public Advocates Office Data Request ORA-HB-SCG-2018-09**

On June 29, 2018, the Public Advocates Office sent data requests to SoCalGas. Those data requests, ORA-HB-SCG-2018-09,<sup>7</sup> requested information regarding EECS advocacy after the Commission's adoption of D.18-05-041, and the resulting charges.

SoCalGas responded to the Public Advocates Office data requests, ORA-HB-SCG-2018-09, on July 16, 2018.<sup>8</sup> SoCalGas's response included a "Preliminary Statement," which stated:

For the purposes of these responses, SoCalGas understands the phrase "energy efficiency codes and standards advocacy" to mean conduct directly concerning statewide energy efficiency codes & standards advocacy, as delineated in Decision 18-05-041. The activities therefore do not include activities for local programs, such as compliance, reach codes, and engagement with the Department of Energy ("DOE"). See Decision (D.) 18-05-041 at 12, 91; SoCalGas Business Plan at 298, PG&E Business Plan at 548, Southern California Edison Business Plan at 224. In addition, SoCalGas has continued to monitor and be passively involved with statewide energy efficiency Codes & Standards advocacy. Therefore, the time, work, and personnel identified in the below responses include instances where SoCalGas employees were, for example, not "participating" in energy efficiency codes and standards (EECS) advocacy but were merely present for a call. This understanding applies to all response below unless it is stated otherwise.<sup>9</sup>

In response to Questions 1 and 3 of Public Advocates Office Data Request ORA-HB-2018-09, SoCalGas stated that one employee

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<sup>6</sup> *Id.* at p. 193.

<sup>7</sup> Attached to the July 15, 2019 *Motion of the Public Advocates Office for an Order to Show Cause Why Southern California Gas Company Should Not Be Sanctioned for Violating a Commission Order and Rule 1.1 of the Commission's Rules of Practice and Procedure* (hereinafter MOSC) as Appendix A.

<sup>8</sup> MOSC Appendix A.

<sup>9</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Preliminary Statement. SoCalGas included a similar disclaimer in its response to subsequent data requests MOSC, Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Preliminary Statement, footnote 1.

spent approximately 2 hours on EECS advocacy activities from June 1, 2018 to June 5, 2018.<sup>10</sup>

In response to Question 5 of Public Advocates Office Data Request ORA-HB-2018-09, SoCalGas stated that an employee participated in a conference call about implementation of California Title 24 standards, provided comments on a draft report on hearth products for a Codes and Standards Enhancement Initiative (CASE);<sup>11</sup> and joined conference calls regarding electric standards for pool pumps, air conditioners, and fans. In response to Question 9, SoCalGas stated it has charged or expects to charge approximately \$223 to energy efficiency balancing accounts for the work done on statewide EECS during this time period.<sup>12</sup>

In response to Questions 2 and 4 of Public Advocates Office Data Request ORA-HB-2018-09, SoCalGas stated that one employee spent approximately 10.5 hours on EECS advocacy activities from June 6, 2018 to June 29, 2018. In response to Question 10, SoCalGas stated that it has charged or expects to charge approximately \$5,178 to energy efficiency balancing accounts for the work done on statewide EECS during this time period.<sup>13</sup>

SoCalGas's July 16, 2018 response stated that it has charged or expects to charge approximately \$5,401 to energy efficiency balancing accounts for work done on statewide EECS advocacy since June 1, 2018.<sup>14</sup> This includes \$614 for labor costs and \$4,787 for payments to Negawatt Consulting.<sup>15</sup>

In response to questions 13 through 16, which requested documents from SoCalGas, SoCalGas' response included the statement:

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<sup>10</sup> MOSC Appendix A. SoCalGas also stated that it communicated with the Los Angeles Department of Water and Power regarding the transition to a new lead for statewide lighting codes and standards.

<sup>11</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 1.

<sup>12</sup> MOSC Appendix A, SoCalGas's Response to Data Request ORA-HB-2018-09, Question 1, 3 and 9.

<sup>13</sup> MOSC Appendix A, SoCalGas's Response to Data Request ORA-HB-2018-09, Question 2, 4 and 10; see also MOSC Appendix D, Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, Question 1, 3-12 (indicating that time frame of prior requests was June 6 to 29, 2018).

<sup>14</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Questions 9 and 10.

<sup>15</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Questions 11 and 12.

SoCalGas incorporates the preliminary statement. However, SoCalGas is also providing responsive documents relating to federal DOE advocacy.<sup>16</sup>

In response to questions 13 through 16, SoCalGas produced 94 documents/emails in response to the Public Advocates Office's data requests concerning both federal and statewide EECS advocacy related activities.

SoCalGas's July 16, 2018 response included documents indicating the following EECS related activities:

At the request of a PG&E employee, a SoCalGas employee reviewed and edited the scope of work for a Request for Proposals for a consultant to develop energy efficiency standards for non-residential buildings.<sup>17</sup>

A SoCalGas employee provided comments on a draft CASE report on hearth products for development of California Title 20 standards.<sup>18</sup>

A SoCalGas employee and consultant participated in a June 18, 2018, call regarding DOE's proposed interim waivers for space-constrained heat pump units.<sup>19</sup>

In an effort involving Statewide Advocacy and Local Compliance Improvement program teams, SoCalGas employees continued to receive messages from consultants about CASE Study Results Reports and the Code Change Savings Reports as of June 21, 2018.<sup>20</sup>

Representatives of the California utilities met by phone to discuss the comment letter to DOE regarding residential dishwasher

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<sup>16</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Questions 13-16.

<sup>17</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "060718\_2022 Non Res RFP.pdf". See also "060518\_2022 Non Res RFP.pdf" and "060718\_2022-Nonres-SOW RM.docx."

<sup>18</sup> MOC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "060818\_Hearth products June emails.pdf;" see also "061118\_Hearth products June emails.pdf."

<sup>19</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "061818\_CAC waivers June emails."

<sup>20</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "062118\_Compliance manual emails.pdf."

product categories on June 4, 2018 from 9 a.m. to 10 a.m.<sup>21</sup> and on June 7, 2018 from 3 p.m. to 4 p.m.<sup>22</sup> SoCalGas approved sending the letter on its behalf on June 21, 2018,<sup>23</sup> the same day that the utilities submitted the letter to DOE.<sup>24</sup>

A SoCalGas employee and consultant attended a meeting on June 18, 2018 to develop comments on the petition for rulemaking regarding DOE's proposed procedure to test cooking tops.<sup>25</sup> On June 22, 2018, SoCalGas authorized the submission on its behalf of the final draft of a DOE comment letter on cooktop test procedures that was to be filed on behalf of all four California utilities.<sup>26</sup> SoCalGas revoked its approval on June 25, 2018<sup>27</sup> and the letter was filed without SoCalGas' signature.<sup>28</sup>

### **Public Advocates Office Data Request ORA- HB -SCG-2018-13**

On December 10, 2018, the Public Advocates Office sent data requests CalAdvocates HB-SCG-2018-13 to SoCalGas.<sup>29</sup>

SoCalGas responded to data requests CalAdvocates HB-SCG-2018-13 on January 7, 2019. The response included the following preliminary statement:

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<sup>21</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "062118\_Dishwasher emails," pp. 7-9 (June 4, 2018 email from a PG&E employee to a SoCalGas employee, *et al*).

<sup>22</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "062118\_Dishwasher emails," p. 5 (June 7, 2018 email from a consultant to a SoCalGas employee and others.).

<sup>23</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "062118\_Dishwasher Emails2," p. 1. (June 4, 2018 email from a SoCalGas employee to a consultant).

<sup>24</sup> Res Dishwasher\_Comment Letter\_Final, filed in DOE Docket ID EERE-2018-BT-STD-0005, June 21, 2018, available at: <https://www.regulations.gov/document?D=EERE-2018-BT-STD-0005-1800>.

<sup>25</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Question 16, Response Template Tab M and Tab N, responses regarding the June 18, 2018 meeting on "Proposed Comment Letter on Cooking Top Petition."

<sup>26</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "062518\_Cooking prod emails.pdf."

<sup>27</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "062518\_Cooking prod emails.pdf."

<sup>28</sup> "Cooking Top Petition - Comment Letter\_Final," filed in DOE Docket ID EERE-2018-BT-TP-0004, June 25, 2018, document EERE-2018-BT-TP-0004-0015, available at <https://www.regulations.gov/document?D=EERE-2018-BT-TP-0004-0015>.

<sup>29</sup> MOSC Appendix D.

SoCalGas generally objects to the defined term “related to” as vague, ambiguous, and overbroad, and to the extent it calls for irrelevant information. For the purposes of these responses, unless otherwise specified, SoCalGas omits time, work, personnel, costs, etc. for items such as overhead or generally allocated items. SoCalGas objects to the phrase “energy efficiency codes and standards (EECS) advocacy” as defined as vague and ambiguous and misleading as phrased.\*\* However, in the interest of responding in good faith, SoCalGas has endeavored to provide responses consistent with the definition provided.

In addition, many of the requests concern calls, conversations, and meetings from over six months ago which were not necessarily memorialized, or memorialized in detail. These responses are therefore provided based on our recollection and a reasonable, good faith inquiry. Where specific information is provided (such as amounts of time spent), the specificity should not be construed as certainty, as we have provided approximate information to the best of our knowledge in many instances.

\*\*Footnote: For example, the defined term appears to go beyond statewide energy efficiency codes & standards advocacy,” as delineated in Decision (D.) 18-05-041, which appears to be the basis of Cal. Advocates’ requests. The activities therefore do not include activities for local programs, such as compliance, reach codes, and engagement with the Department of Energy. See D.18-05-041 at 12, 91; SoCalGas Business Plan at 298. PG&E Business Plan at 548, Southern California Edison Business Plan at 224.

SoCalGas’s January 7, 2019, response to data requests HB-SCG-2018-13 stated that the SoCalGas Program Advisor worked on several codes and standards documents,<sup>30</sup> reviewed DOE comment letters, and participated in several meetings.<sup>31</sup>

SoCalGas produced a spreadsheet that indicated that the time spent on the following EECS advocacy related activities was charged to its energy efficiency Demand Side Management Balancing Account (DSMBA).

At the request of a PG&E employee, a SoCalGas employee reviewed and edited the scope of work for a Request for Proposals for a consultant to develop energy efficiency standards for non-

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<sup>30</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Questions 3-12, Response Template Tabs C-K, with the exception of Tab J.

<sup>31</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Question 16, Response Template, Tab M.

residential buildings.<sup>32</sup> The employee's time was charged to the DSMBA and specifically attributed to the Building Codes and Compliance Advocacy subprogram (SCG 3724) of the Statewide Codes and Standards program.<sup>33</sup>

A SoCalGas employee provided comments on a draft CASE report on hearth products for development of California Title 20 standards.<sup>34</sup> The employee's time was charged to the DSMBA and specifically attributed to the Appliance Standards Advocacy subprogram (SCG 3725) of the Statewide Codes and Standards program.<sup>35</sup>

A SoCalGas employee and its consultant participated in a June 18, 2018 call regarding DOE's proposed interim waivers for space-constrained heat pump units.<sup>36</sup> SoCalGas' time was charged to the DSMBA and specifically attributed to the Appliance Standards Advocacy subprogram (SCG 3725) of the Statewide Codes and Standards program.<sup>37</sup>

SoCalGas charged the time spent by its employee and consultant on a comment letter to DOE regarding residential dishwasher product categories to the DSMBA and specifically attributed to the Appliance Standards Advocacy subprogram (SCG 3725) of the Statewide Codes and Standards program.<sup>38</sup>

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<sup>32</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "060718\_2022 Non Res RFP.pdf". See also "060518\_2022 Non Res RFP.pdf" and "060718\_2022-Nonres-SOW RM.docx."

<sup>33</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Questions 1 and 11, Response Template, Tabs A and K, responses regarding the document "060718\_2022-Nonres-SOW RM.docx."

<sup>34</sup> MOSC Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "060818\_Hearth products June emails.pdf". See also Attachment B "Draft T20 CASE Report Hearth Products\_20180531\_20180607\_SoCalGas.docx."

<sup>35</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Questions 1 and 7, Response Template Tabs A and G, responses regarding the document "Draft T20 CASE Report Hearth Products\_20180531\_20180607\_SoCalGas.docx."

<sup>36</sup> MOSC, Appendix A, SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, July 16, 2018, Question 15, Attachment C, "061818\_CAC waivers June emails."

<sup>37</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Questions 16 and 17, Response Template Tabs M and N, response regarding the June 18, 2018 meeting on "DOE CAC Waivers."

<sup>38</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Questions 1, 12, 16 and 17, Response Template, Tabs A, L, M and N, responses regarding the document "Res Dishwasher\_Comment Letter\_Final" and about the June 7, 2018 "Conference Call for Comment Letter on Res Dishwasher Petition."



On June 22, 2018, SoCalGas authorized the submission on its behalf the final draft of a DOE comment letter on cooktop test procedures that was to be filed on behalf of all four California utilities. SoCalGas revoked its approval on June 25, 2018. The letter was filed without SoCalGas's signature. The time of the employee and consultant was charged to the DSMBA and specifically attributed to the Appliance Standards Advocacy subprogram (SCG 3725) of the Statewide Codes and Standards program.<sup>39</sup>

#### **Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-03**

On March 18, 2019, the Public Advocates Office sent data request No. CalAdvocates-HB-SCG-2018-03, seeking additional information about how SoCalGas records and recovers EE costs, as well as information about overhead costs.<sup>40</sup>

On April 1, 2019, in response to Public Advocates Office data request CalAdvocates-HB-SCG-2018-03, SoCalGas stated that all energy efficiency costs, including allocated overhead, are recorded to the Demand Side Management Balancing Account (DSMBA) and recovered from ratepayers through Public Purpose Program charges.<sup>41</sup>

On April 1, 2019, SoCalGas stated that Allocated Overhead costs charged to Codes and Standards Advocacy programs for the time period of June 1 – 29, 2018 was \$652.<sup>42</sup>

#### **SoCalGas' Amended Responses to Cal Advocates**

On September 11, 2019, SoCalGas served amended responses on Cal Advocates for data requests ORA-HB-SCG-2018-09, CAL ADVOCATES-HB-SCG-2019-01, CAL ADVOCATES-HB-SCG-2018-13, and CAL ADVOCATES-HB-SCG-2018-03.<sup>43</sup>

SoCalGas' Response to ORA-HB-SCG-2018-09 contained a preliminary statement which included the following:

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<sup>39</sup> MOSC Appendix D, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-13, January 7, 2019, Questions 1, 5, 16 and 17, Response Template Tabs A, E, M and N.

<sup>40</sup> MOSC Appendix F.

<sup>41</sup> MOSC Appendix F, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-03, April 1, 2019, Questions 1 and 4.

<sup>42</sup> MOSC Appendix F, SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-03, April 1, 2019, Question 5.

<sup>43</sup> Prepared Direct Testimony of Darren Hanway on Behalf of Southern California Gas Company, January 10, 2020, Appendix A.

At the time of serving its original responses (July 16, 2018), SoCalGas reasonably interpreted D.18-05-041 as not prohibiting federal advocacy activities given the decision’s approval of SoCalGas’, PG&E’s, and SCE’s Business Plans, which proposed to establish a federal level of EE codes and standards subprogram that would be *administered locally rather than statewide*. This was communicated to Cal Advocates in a preliminary statement to SoCalGas’ initial responses. Based on this interpretation, SoCalGas did not include information on federal advocacy activities in some of its initial responses, although it did provide all documents related to federal advocacy activities that were requested by Cal Advocates in response to Cal Advocates’ Questions 13-16. Within about a month of serving its initial responses, and after a meeting with representatives from Energy Division, SoCalGas determined that in an abundance of caution it would not participate in EE federal codes and standards advocacy in addition to EE statewide codes and standards advocacy. While SoCalGas continues to believe that it is unclear whether D.18-05-041 covers federal advocacy activities, it has decided to take a cautious approach until there is further clarity provided by the Commission on the issue. SoCalGas has amended its responses to provide information on any EE federal codes and standards advocacy activity called for by Cal Advocates. Although SoCalGas’ original responses were served on July 16, 2018, SoCalGas has interpreted any requests that are open ended (i.e. “on or after June 6, 2018”), as applying up to the date the amended responses are served.

SoCalGas’ responses do not include information on activities related to energy efficiency codes and standards advocacy that do not have or have not had energy efficiency funding unless Cal Advocates has identified a specific non energy efficiency funded activity in its request that it is seeking information on. Such activities are outside the scope of D.18-05-041’s prohibition of SoCalGas engaging in energy efficiency codes and standards advocacy. (See D.18-05-041, p. 144 [“As the scope of this proceeding is limited to consideration of the 2018 – 2025 business plans....”]; *Id.* at 143 [“We do find, however, our initial authorization of *energy efficiency funding* for codes and standards advocacy makes clear our intent for *those funds*. . .]; see also D. 13-12-043, pp. 9, 13, 15 [cost allocations out of scope where they were being reviewed in another proceeding]; D.03-10-086, pp. 41,

48 [where funding not included in scope, it should be considered in other proceeding].)<sup>44</sup>

In response to questions 3 and 4 in ORA-HB-SCG-2018-09, regarding how many SoCalGas employees spent time on EECS activities since D.18-05-041, SoCalGas stated, “SoCalGas has 1 employee who spent time on such activities. When D.18-05-041 was issued, SoCalGas only had one employee who spent a portion of their time to energy efficiency statewide and federal codes and standards advocacy. Although other SoCalGas employees may have spent very minimal time (usually less than five minutes), on activities related to transitioning off of energy efficiency funded EECS, they were not ‘advocacy activities’ and were de minimis.”<sup>45</sup>

In response to questions 1 and 2 in ORA-HB-SCG-2018-09, SoCalGas identified approximately 3.2 hours during June 1-5, 2018 spent on EECS advocacy activities and approximately 14.1 hours during June 6, 2018 through the date of the response (September 11, 2019), spent on EECS advocacy activities.<sup>46</sup>

In response to questions 9 and 10 in ORA-HB-SCG-2018-09, SoCalGas stated that “EECS advocacy program allocated overheads incurred on or after June 1, 2018 is a net credit balance of approximately (\$538.09); SoCalGas excludes this value in the response below and will not be crediting this value to shareholders.”<sup>47</sup>

In response to questions 9 and 10 in ORA-HB-SCG-2019-09, SoCalGas identified approximately \$541.95 and \$8,172.70 that it had charged or expected to charge to shareholder funding sources for the work done on energy efficiency funded EECS during the time period following D.18-05-041.<sup>48</sup>

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<sup>44</sup> Prepared Direct Testimony of Darren Hanway on Behalf of Southern California Gas Company, January 10, 2020, Appendix A, SoCalGas’ Amended Response to ORA-HB-SCG-2018-09, Preliminary Statement.

<sup>45</sup> Prepared Direct Testimony of Darren Hanway on Behalf of Southern California Gas Company, January 10, 2020, Appendix A, SoCalGas’ Amended Response to ORA-HB-SCG-2018-09, responses to questions 3 and 4.

<sup>46</sup> Prepared Direct Testimony of Darren Hanway on Behalf of Southern California Gas Company, January 10, 2020, Appendix A, SoCalGas’ Amended Response to ORA-HB-SCG-2018-09, responses to questions 1 and 2.

<sup>47</sup> Prepared Direct Testimony of Darren Hanway on Behalf of Southern California Gas Company, January 10, 2020, Appendix A, SoCalGas’ Amended Response to ORA-HB-SCG-2018-09, responses to questions 9 and 10.

<sup>48</sup> *Id.*

In response to question 24 of CAL ADVOCATES-HB-SCG-2018-13, SoCalGas stated that:

SoCalGas employees have spent zero hours on EECS advocacy activities since June 30, 2018. Minimal program management activities (amounting to less than 5 minutes of time) were conducted directing SoCalGas' consultants to discontinue work on EECS activities. SoCalGas' consultant Negawatt monitored docket activity related to Statewide and Federal EE codes and standards through July 10, 2018, amounting to 6 hours.<sup>49</sup>

### **Public Advocates MOSC and SoCalGas's Response To The MOSC**

On July 15, 2019, the Public Advocates' Office filed its MOSC, attaching data requests ORA-HB-SCG-2018-09, ORA-EF-SCG-2018-01, Cal Advocates-HB-SCG-2018-13, Cal Advocates-HB-SCG-2019-01, and Cal Advocates-HB-SCG-2018-03 and SoCalGas' responses to those requests.

On July 30, 2019, SoCalGas filed its Response of Southern California Gas Company (U 904 G) to the Motion of the Public Advocates Office for an Order to Show Cause Why Southern California Gas Company Should Not Be Sanctioned for Violating a Commission Order and Rule 1.1 of the Commission's Rules of Practice and Procedure. SoCalGas states:

SoCalGas acted in good faith following the Decision to transition out of the statewide Codes & Standards advocacy activities and completed that transition. Although SoCalGas does not believe it engaged in misconduct, in an abundance of caution and as a showing of good faith, SoCalGas will nevertheless transfer the entire amount charged to EE balancing accounts for statewide EE Codes & Standards Advocacy during the period in question to shareholder funds.<sup>50</sup>

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<sup>49</sup> Prepared Direct Testimony of Darren Hanway on Behalf of Southern California Gas Company, January 10, 2020, Appendix A, SoCalGas' Amended Response to ORA-HB-SCG-2018-13, response to question 24.

<sup>50</sup> *Response of Southern California Gas Company (U 904 G) to the Motion of the Public Advocates Office for an Order to Show Cause Why Southern California Gas Company Should Not Be Sanctioned for Violating a Commission Order and Rule 1.1 of the Commission's Rules of Practice and Procedure*, July 30, 2019, p. 2.

Respectfully submitted,

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